

**Response**

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN**REMARKS**

The following remarks are made in response to the Non-Final Office Action mailed March 25, 2005. In that Office Action, the Examiner indicated that although claim 3 was objected to as being dependent upon a rejected base claim, it would be deemed allowable if rewritten in independent form. Claims 1, 2, and 4-20 were rejected under 35 U.S.C. §102(e) as being anticipated by O'Leary et al., U.S. Patent Application Publication No. 2002/0180498 ("O'Leary").

With this Response, Applicant respectfully traverses the Examiner's rejection of claims 1, 2, and 4-20. Claims 1-20 remain pending in the application and are presented for reconsideration and allowance.

**35 U.S.C. §102 Rejections**

The Examiner rejected claims 1, 2, and 4-20 under 35 U.S.C. §102(e) as being anticipated by O'Leary et al., U.S. Patent Application Publication No. 2002/0180498 ("O'Leary"). With respect to independent claims 1, 12, and 18, the Examiner stated that O'Leary teaches a server system and method comprising:

a plurality of host processor cards for providing management LAN communications separated from payload LAN communications (¶¶0057);

a first card coupled to the plurality of host processor cards and coupled to a payload LAN, the plurality of host processor cards configured to provide payload LAN communalizations (sic) through the first card (¶¶0057); and

a second card coupled to the plurality of host processor cards and coupled to a management LAN, the plurality of host processor cards configured to provide management LAN communications with the management LAN through the second card (¶¶0057). (Office Action at para. no. 3, pages 2-3).

O'Leary is directed to a phase locked loop. (See, e.g., O'Leary at Title and Abstract). O'Leary indicates that the phase locked loop is suitable for use in timing circuits of communication systems (Abstract), and in Figure 6, shows a "network element 600" having a timing circuit with the phase locked loop. (See, e.g., O'Leary at para. no. 0057). The network element 600 shown in Figure 6 is described in paragraph 0057 of O'Leary, which is the only portion of O'Leary cited by the Examiner. The network element 600 of O'Leary

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includes various cards and controllers that are connected via a backplane 634. (O'Leary at Figure 6 and para. no. 0057). There is no teaching or suggestion in O'Leary that any of the cards in the network element 600 are host processor cards, let alone host processor cards that provide management LAN communications separated from payload LAN communications. O'Leary does not teach or suggest a first card coupled to a plurality of host processor cards and coupled to a payload LAN, and a second card coupled to a plurality of host processor cards and coupled to a management LAN. Rather, O'Leary indicates that the cards communicate with one of the redundant ring interface cards 626, which can be coupled to a network as shown in Figures 7 and 8 of O'Leary. (O'Leary at para. no. 0057, and Figures 6, 7, and 8). O'Leary does not teach or suggest separate management and payload LAN's, or segregating management and payload communications.

In view of the above, O'Leary does not teach or suggest each and every limitation of independent claim 1, 12, or 18. Applicant respectfully requests removal of the rejection of claims 1, 12, and 18 under 35 U.S.C. § 102(e), and requests allowance of these claims. Since dependent claims 2, 4-11, 13-17, 19, and 20 further limit patentably distinct claim 1, 12, or 18, and include additional limitations that are not taught or suggested by the cited reference, claims 2, 4-11, 13-17, 19, and 20 are believed to be allowable over the cited reference. Allowance of claims 2, 4-11, 13-17, 19, and 20 is respectfully requested.

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-20 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-20 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either David M. Mason at Telephone No. 408-447-4046, Facsimile No. 408-447-0854 or Jeff A.

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Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

**Hewlett-Packard Company**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Thane M. Larson et al.

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402  
Telephone: (612) 573-0178  
Facsimile: (612) 573-2005

Date: \_\_\_\_\_

JAH:jmc

6/13/05

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Jeff A. Holmen

Reg. No. 38,492

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13<sup>th</sup> day of June, 2005.

By \_\_\_\_\_

Name: Jeff A. Holmen

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Jeff A. Holmen